

**BEFORE THE MINNESOTA  
EMERGENCY MEDICAL SERVICES REGULATORY BOARD**

**RECEIVED  
JUN 16 2014**

In the Matter of  
Jared M. Borowicz, Paramedic  
Certificate No. 950023

**STIPULATION AND CONSENT ORDER  
FOR VOLUNTARY SURRENDER  
OF CERTIFICATE**

IT IS HEREBY STIPULATED AND AGREED by and between Jared M. Borowicz, Paramedic ("Respondent"), and the Complaint Review Panel ("Review Panel") of the Minnesota Emergency Medical Services Regulatory Board ("Board") as follows:

**I.**

**JURISDICTION**

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a certificate as a Paramedic in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. The Review Panel was represented by Gregory J. Schaefer, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101-2131, telephone (651) 757-1366.

**II.**

**FACTS**

3. For the purpose of this Stipulation and Consent Order only, the parties may consider the following facts as true:

a. The Board certified Respondent as an Emergency Medical Technician ("EMT") on August 1, 2008.

- b. The Board certified Respondent as a Paramedic on July 8, 2013.
- c. On August 23, 2013, Respondent completed a chemical dependency evaluation and entered inpatient treatment with diagnoses of dependency to alcohol and opiates.
- d. On September 16, 2013, Respondent reported to the Health Professionals Services Program (“HPSP”) as requested by his inpatient treatment program. During his intake, Respondent admitted that he had diverted controlled substances from patients, both in the line of work as a paramedic and EMT and from people’s homes.
- e. On March 6, 2014, Respondent was convicted in Dakota County of an August 2013 gross misdemeanor third-degree driving while under the influence (“DWI”).
- f. On March 13, 2014, Respondent was discharged from HPSP for noncompliance and his case referred to the Board.
- g. On March 17, 2014, Respondent was charged in Hennepin County with gross misdemeanor second-degree driving while under the influence of alcohol. A pre-trial hearing is scheduled for June 5, 2014.
- h. Following a thorough review of all available information, the Review Panel determined the matter could be resolved with Respondent by offering this Stipulation and Consent Order.

### **III.**

#### **STATUTES**

- 4. The Review Panel views Respondent's conduct as inappropriate in such a way as to require Board action under Minnesota Statutes section 144E.28, subdivision 5(a)(3), (4), (5), and (8), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

#### IV.

##### **DISCIPLINARY ACTION**

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without further notice or hearing, the parties agree the Board may take the following disciplinary action and require compliance with the following terms:

##### **A. Voluntary Surrender**

6. The Board accepts Respondent's **VOLUNTARY SURRENDER** of his certificate to provide emergency medical services. Respondent shall not engage in any act which constitutes the practice of emergency medical services as defined in Minnesota Statutes section 144E and Minnesota Rules Chapter 4690 and shall not imply by words or conduct that Respondent is authorized to do so.

7. Respondent shall surrender to the Board his Paramedic certificate. Respondent shall personally deliver or mail the certificate to the Minnesota Emergency Medical Services Regulatory Board, c/o Pamela Biladeau, Executive Director, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222, within ten days of the date of this Order.

##### **B. Reinstatement of Certification**

8. Respondent may not petition for reinstatement of his certification until he is able to demonstrate by a preponderance of the evidence that he is capable of providing emergency medical services in a fit and competent manner, is successfully participating in a program of chemical dependency rehabilitation, and has been sober and free from mood-altering chemicals, including alcohol, during the 12 months immediately preceding his petition. At the time of his petition, Respondent shall meet with the Review Panel. The meeting with the Review Panel shall be scheduled after Respondent has complied with, at a minimum, the following:

a. ***Recertification Requirements.*** Respondent shall meet all recertification requirements in effect at the time of his petition to reinstate his certificate, including but not limited to successfully completing Advanced Cardiac Life Support ("ACLS") and paramedic refresher courses. In addition, Respondent shall complete the appropriate application and pay the requisite fees to reinstate his certificate.

b. ***Self-Report.*** Respondent shall submit to the Review Panel a report addressing his sobriety, including the date Respondent last used mood-altering chemicals, including alcohol, and the circumstances surrounding any use while this Stipulation and Consent Order is in effect.

c. ***Documentation.*** Respondent shall submit to the Review Panel documentation of any treatment and participation in a chemical dependency rehabilitation program, including attendance at a chemical dependency support group, such as Alcoholics Anonymous, during the 12 months preceding the petition. Evidence of participation shall include but need not be limited to attendance sheets that have been legibly signed or initialed and dated by a participant who attended the meeting.

d. ***Additional Information.*** Respondent shall provide any additional information relevant to his petition reasonably requested by the Review Panel.

9. The Board may, at any regularly scheduled meeting following Respondent's petition for reinstatement pursuant to paragraph 8 above, take any of the following actions:

- a. Issue Paramedic certification to Respondent;
- b. Issue Paramedic certification to Respondent with limitations upon the scope of Respondent's practice and/or with conditions for Respondent's practice; or
- c. Deny Respondent's request for issuance of Paramedic certification based upon his failure to meet the burden of proof.

V.

**ADDITIONAL TERMS**

10. Within ten days of any change, Respondent shall provide the Board with his current address and telephone information. The information shall be sent to Pamela Biladeau, Executive Director, Emergency Medical Services Regulatory Board, University Park Plaza, 2829 University Ave. S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

11. This Stipulation and Consent Order, related investigative reports, summaries thereof, and other documents shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

12. Respondent agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and the case proceeds to a hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

13. Respondent waives the contested case hearing and all other procedures before the Board to which Respondent may be entitled under the Minnesota or United States Constitutions, statutes, or rules and agrees that the order to be entered pursuant to the Stipulation and Consent Order shall be the final Order herein.

14. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

15. Respondent waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the

investigation of the conduct herein or the negotiation or execution of this Stipulation and Consent Order which might otherwise be available to Respondent.

**VI.**

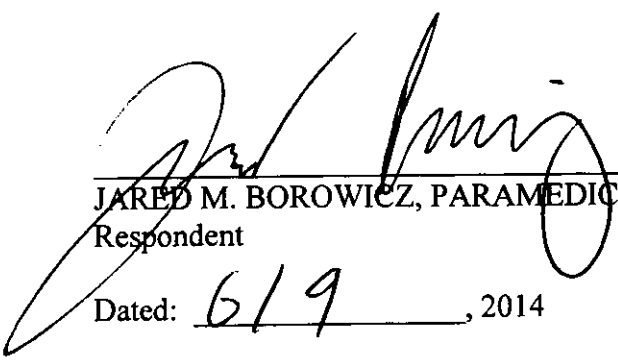
**DATA PRACTICES NOTICES**

16. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by federal law or consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Stipulation and Consent Order is considered active investigative data on a licensed health professional and, as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

17. Respondent hereby acknowledges that he has read and understands this Stipulation and Consent Order and has voluntarily entered into it. This Stipulation and Consent Order contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation and Consent Order.

CONSENT:

**COMPLAINT REVIEW PANEL**

  
JARED M. BOROWICZ, PARAMEDIC  
Respondent

Dated: 6/9, 2014

  
MATT SIMPSON  
Board Member

Dated: July 18, 2014

## ORDER

Upon consideration of this Stipulation and Consent Order, IT IS HEREBY ORDERED that the Board approves and adopts the terms of the Stipulation and accepts the **VOLUNTARY SURRENDER** of Respondent's certificate to practice emergency medical services in the State of Minnesota effective this 21 day of July, 2014.

MINNESOTA EMERGENCY MEDICAL  
SERVICES REGULATORY BOARD

By: Pamela Biladeau  
PAMELA BILADEAU  
Executive Director